



# THE MAINE CEO

A PERIODIC NEWSLETTER FOR  
CODE ENFORCEMENT TRAINING & CERTIFICATION  
PROGRAM INFORMATION

Vol. 2 Issue 4 ♦ Published and Distributed by the Maine State Planning Office ♦ Summer 2002

## STEPPING IN TO THE FUTURE

The State's budgetary crisis is no secret. This on-going (and developing) problem requires careful evaluation of all programs offered and staffed through the State budget. It is very likely that you will see some changes in the future. As these changes are implemented we ask your patience and tolerance. We will make every effort to keep all of our "customers" informed through this newsletter and our Web site. If you have not yet visited the Web site please make an effort to do so, and if you have visited the site please check back periodically for updates and new information.

<http://www.state.me.us/spo/ceo/ceohome.htm>

The idea of offering a code enforcement "institute" or "academy" has been discussed since the program's inception. Over the years we have made every effort to offer the regular program at locations convenient to a majority of our "customers." At certain times (like the present) the existing circumstances move us toward doing things differently. A number of factors (problems), as well as our goal of providing a high-quality training program, convinced us of the advantages and opportunities afforded by using an "institute-style" format. In addition to our traditional format, we intend to periodically offer code enforcement training institutes.

In December, we are sponsoring the *Maine Code Officials Institute of 2002*. The institute format will consist of a 3-day conference on "building standards." Individuals are free to choose to attend for half a day, a single day, two days, or whatever is convenient and useful for them. Recertification credits will be given based on how many hours an individual attends. A variety of programs will be offered. The conference will be held in Augusta, at the Senator Inn, on December 3<sup>rd</sup>, 4<sup>th</sup>, and 5<sup>th</sup>. We are working with the Senator Inn to reserve a block of rooms. It is our hope that the Senator will offer those rooms at a discounted rate. Details regarding this matter will be provided in the registration flyer.

The program will offer multi-track sessions on the first and third days. As usual, there is no registration fee for individuals who are appointed CEOs, LPIs, or building inspectors. Individuals who are not appointed will be charged a registration fee (to be determined).

On December 3<sup>rd</sup>, the first day, participants may select from one of two training tracks. Track #1 consists of introductory presentations by various state inspectors from the Office of Licensing & Registration, while Track #2 consists of presentations on building codes and code-making processes by representatives of BOCA and NFPA.

On December 4<sup>th</sup>, the second day, participants are offered a morning session covering the history and development of building and fire codes in the United States and Maine (including background on MRSA Title 25, Chapter 313). The afternoon session features a panel discussion. The subject for discussion is: Does Maine need a statewide, uniform building code? Panel members will represent the following organizations and interests: insurance industry, building industry, code enforcement, state fire marshal, MMA, MBOIA, BOCA/ICC, and NFPA. Audience seating for the panel discussion is limited to 150 seats. A number of seats will be reserved for special-interest parties and general seating for code officials will be limited.

On December 5<sup>th</sup>, the third day, participants may select from two tracks. Track #1 will be an overview and introduction to “accessibility standards” for code officials. The program for Track #2 has not been set at this time, but we have requested the State Fire Marshal’s Office to give a presentation on the proposed State Fire Prevention Code.

We hope that you understand that offering an “institute-style” format requires considerable planning and coordination. We have invited participants from outside the program and they all will be traveling to Augusta at their own expense from various places around the country. Simply making arrangements to have everyone in one place, for one single day is a major accomplishment for a small program such as ours. We hope that you can appreciate this effort made on behalf of you, our customers!

### **WE WERE EXPECTING YOU...**

Frequently, individuals register to take an examination and then subsequently fail to appear for the scheduled exam. Because of the large number of individuals taking exams and the limited number of seats available we are often forced to turn people away. For this reason, it is important that you show up if you have registered. The program incurs costs to register individuals for exams, when someone fails to show up it costs the State money. Please notify the office immediately if you will not be taking a scheduled exam. If this problem persists we may be forced to revise our policy.

## **RECENT CHANGES TO SUBDIVISION LAW WITH EFFECTIVE DATES**

### **EFFECTIVE SEPTEMBER 21, 2001:**

#### **30-A MRSA § 4401, sub-§4, A. (1) (amended)**

Previously, for a division to be exempt, a sub-divider need only have maintained the lot for use as a single-family residence or for open space land for a period of 5 years prior to the second dividing. Under the new change it must be retained for personal use their principal residence for a period of 5 years.

#### **30-A MRSA § 4401, sub-§4, D. (repealed)**

#### **30-A MRSA § 4401, sub-§4, D. (1) to D. (6) (enacted)**

The new amendments were enacted to more clearly spell out the permitted exemptions. The most important change is that the law now defines the blood relationships permitted between donor and relative receiving the gift. Acceptable relationships to the donor include: spouse, parent, grandparent, brother, sister, child, or grandchild related by blood, marriage, or adoption.

#### **30-A MRSA § 4401, sub-§4, H. (repealed)**

#### **30-A MRSA § 4401, sub-§4, H. (enacted)**

The new amendment prevents a municipality from expanding the definition of a subdivision except as provided in the subchapter and calls for repeal of the paragraph on October 1, 2002.

### **EFFECTIVE JULY 25, 2002:**

#### **30-A MRSA § 4401, sub-§4, C. (amended)**

Lots of 40 or more acres must now be counted, except where a municipality has elected not to do so only for those lots not covered by the local shoreland zoning ordinance.

#### **30-A MRSA § 4404, sub-§5 (amended)**

The amendment requires that applicable driveways or entrances comply with the rules and regulations of the Maine Department of Transportation.

## **REMINDER CONCERNING PLUMBING PERMIT FEES**

On October 1, 1999 the fees for Internal Plumbing Permits were raised. Many LPIs have not been charging the higher fees and this causes problems for the Division of Health Engineering. Please make sure that you are charging the correct fees. The fee for 1-4 fixtures is \$24.00 and each additional fixture is \$6.00; a \$24.00 hook-up fee is charged for new water distribution and/or drainage pipes installed or relocated, as well as connections for mobile homes, and connections to a public sewer when the piping is outside the jurisdiction of the sanitary/sewer district. Consider a hook-up fee as a fixture in calculating the fixture fee. For more information contact the Division of Health Engineering at 287-5689.

### **QUESTIONS & ANSWERS...**

**Q:** I don't work for a town yet, but I have passed the state certification exams. Until I get a municipal CEO/LPI position, I'm going to run a home inspection business. I'd like to put the letters "CEO/LPI" after my name on my business card and on my pick-up truck so people will know that I know something. Is it OK to do that?

**A:** Generally speaking, no. Under State law, the term "code enforcement officer" is defined as applying to an individual employed by a municipality to enforce specific land use laws and ordinances specified under the law and certified through examination by the State. However, it is probably acceptable to state in your advertising or resume that you have passed the state certification exam for *code enforcement officer* or *local plumbing inspector*.

## **DIRECTOR OF STATE PLANNING OFFICE RESIGNS**

Effective July 18, 2002 Evan Richert resigned his position as director of SPO. Mr. Richert will be on the faculty of the University of Southern Maine's Edmund S. Muskie School of Public Policy. He will also be involved with the Gulf of Maine Project. The director of SPO serves as an ex-officio member of the Governor's cabinet. Governor King has appointed David Keeley (currently State Planner) to serve as the acting director. It is presumed that Mr. Keeley will serve in an acting capacity until the next governor makes a permanent appointment.

Enjoy the summer season and stay safe!